

Response to Missing Parts under 37 CFR 1.52 or 1.53



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PATENT TRADEMARK OFFICE Approved for use through 10/31/2002. OMB 0651-0031
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the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. ANSMITTAL **Application Number** 09/879,840 **FORM Filing Date** (to be used for all correspondence after initial filing) **First Named Inventor** English **Group Art Unit** NYA **Examiner Name A**+ Total Number of Pages in This Submission Attorney Docket Number 103.1071.0 ENCLOSURES (check all that apply) Assignment Papers After Allowance Communication to Fee Transmittal Form (for an Application) Group Appeal Communication to Board of Fee Attached Drawing(s) Appeals and Interferences Appeal Communication to Group Amendment / Reply Licensing-related Papers (Appeal Notice, Brief, Reply Brief) After Final Petition Proprietary Information Petition to Convert a Affidavits/declaration(s) Status Letter Provisional Application Other Enclosure(s) (please identify below): Power of Attorney, Revocation Extension of Time Request PTO Form SB/08 Change of Correspondence Address Copies of Art References Return Postcard **Express Abandonment Request** Terminal Disclaimer Information Disclosure Statement Request for Refund Certified Copy of Priority CD, Number of CD(s) ___ Document(s) Response to Missing Parts/ Remarks Incomplete Application

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Steven A. Swernofsky

Reg. no. 33,040

Date

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I hereby certify that this envelope addressed to:	correspondence is being deposited with the United States Postal Service as first class mail in an Commissioner for Patents, Washington, D.C. 20231 on this date:						
Type or printed name	Arlette Malhas, Paralegal						
Signature	Wilte Malla Date 8-28-01						

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In re Application of: English	Art Unit:	NYA	TC 12007
Serial No. 09/879,840	Examiner:	NYA	* * OO

Filed: 6/12/2001

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Information for Multiple Devices

CERTIFICATE OF MAILING

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> **Assistant Commissioner for Patents** Washington, D.C. 20231

on <u>\$-28-01</u> by _

Arlette Malhas, Paralegal

INFORMATION DISCLOSURE STATEMENT

Honorable Assistant Commissioner for Patents Washington, D.C. 20231

Dear Sir:

This Information Disclosure Statement is submitted:

under 37 CFR 1.97(b), or (Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
under 37 CFR 1.97(c) together with either a: ☐ Statement under 37 CFR 1.97(e) OR ☐ a \$180.00 fee under 37 CFR 1.17(p) (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
under 37 CFR 1.97(d) together with a: ☐ Statement under 37 CFR 1.97(e) AND

	a \$180.00 petition fee set forth in 37 CFR 1.17(i)(1). (Filed after final action or notice of allowance, whichever occurs first but before payment of the issue fee)
	Applicant(s) submit herewith Form PTO SB/08-Information Disclosure Statement by Applicant listing documents of which applicant(s) believe(s) might be material to the examination of this application and for which there might be a duty to disclose in accordance with 37 CFR 1.56.
\boxtimes	Applicant(s) submits herewith copies of documents listed in the attached Form PTO SB/08.
	Copies of documents listed in the attached Form PTO SB/08 were previously submitted in the following application:
	Docket No.: Serial No.: Filed:
	THE EXAMINER IS ENCOURAGED AND EXHORTED TO MAKE HIS OR OWN INDEPENDENT EVALUATION OF POSSIBLE RELEVANCE OF THE MITTED DOCUMENTS.
	At the present time, Applicant submits that the above documents, taken alone or mbination, neither anticipate nor render obvious the present invention. Consideration of the going in relation to this application is respectfully requested.
appli	It is requested that the information disclosed herein be made of record in this cation.
Date	Respectfully submitted, Steven A. Swernofsky Reg. No. 33,040

Attorney Docket 103.10 104

Swernofsky Law Group P.O. Box 390013 Mountain View, CA 94039-0013 (650) 947-0700

PTO/SB/08A (10-96)
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First Named Invent r	English	7 07					
Group Art Unit	NYA	100					
Examiner Name	NYA	9					
Attorney Docket Number	103.1071.01						

				U.S. PATENT DOCUM	IENTS	
Examiner Initials*	Cite No.1	U.S. Patent Document Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US005,604,862	Α	Midgely et al.	02-18-1997	· igares / ppear
	2	US005,649,152	Α	Ohran et al.	07-15-1997	
	3	US005,819,292	A	Hitz et al.	10-06-1998	
	4	US005,835,953	Α	Ohran	11-10-1998	
	5	US005,963,962	A	Hitz et al.	10-05-1999	
	6	US006,101,585	A	Brown et al.	08-08-2000	
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				FORE	IGN PATENT DOCUMENTS			
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Examiner Initials*	Cite No.1	Office ³	Number ⁴	Kind Code ⁵ (<i>if known</i>)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear	T⁵
	1	DE	694 25 658	T2	Hitz et al.	08-23-2000		
	2	EP	0,702,815	B1	Hitz et al.	08-23-2000		\top
	3	wo	00/07104	A1	Hitz et al.	02-10-2000		+-
	4	wo	94/29807	A1	Hitz et al.	21-22-1994		+
	5	EP	0,308,506	A1	Otsuka et al.	03/29/1989		
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Signature	Considered	

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¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Skind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1440A/DTA			ATENT TRADEMARK OFFICE CON	nplete if Known	(C)		
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					Group Art Unit	NYA	10
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	Sheet	1	of	1	Attorney Docket Number	103.1071.01	

		OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	" .
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1.	MULQUEEN, JOHN T., "Product Analysis Review". Communications Week. Vol. 452, Page 25, May 3, 1993.	
	2 ,	SAILESH, CHUTANI, "The Episode File System", USENIX Winter, 1992. Pages 43-60.	
	3 .	TUX 2: Slashdot.com. TUX2: The File System That Would Be King. 10/20/2000.	
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